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From: Richard San Pietro

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Date:

1/28/2004

App. Serial Number: 10/623,114

Client/Matter No: 051091-2001

User | D No : 0079

#### **OFFICIAL**

Transmitted herewith for filing in the above patent application are the following:

1. Transmittal (1 page);

2. Third Supplemental IDS (2 pages); and

3. PTO Form SB/08 (1 page).

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#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Yerramilli V.S.N. Murthy, et al.

Title:

COMPOSITION'S CONTAINING

PRODRUGS OF FLORFENICOL

AND METHOD\$ OF USE

Appl. No.:

10/623,114

Filing Date:

07/18/2003

Examiner:

Unknown

Art Unit:

1642

TRANSMITTAL

Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

Sir:

Transmitted herewith for filing in the above application are the following:

- 1) Third Supplemental Information Disclosure Statement (2 pages); and
- 2) PTO Form SB/08 (1 page).

Although no fees are believed to be due, the Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872.

Date \_\_\_\_\_\_ Respectfully submitted,

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Attorney for Applicant Registration No. 45,071

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Applicant:

Yerramilli V.S.N. Murthy, et al.

Title:

COMPOSITIONS CONTAINING

PRODRUGS OF FLORFENICOL

AND METHODS OF USE

Appl. No.:

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Filing Date:

07/18/2003

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Unknown

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1642

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Line Gauthier

(Printed Name)

# THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §1.56

Commissioner for Patents PO Box 1450 Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present

Atty. Dkt. No. 051091-2001

application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a prima facie art reference against the claims of the present application.

#### TIMING OF THE DISCLOSURE

The listed document is being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

#### RELEVANCE OF EACH DOCUMENT

All of the documents are in English.

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Date Jon. 18, 2004	Respectfully submitted,
Richard J. Warburg	4
FOLEY & LARDNER	By The Chat
Customer Number: 30542	Richard San Pietro
Telephone: (858) 847-6717	Attorney for Applicant
Facsimile: (858) 792-6773	Registration No. 45,071

NO. 7754 P. 5

MODIFIED PTO/SB/08 (08-00) Approved for use through 10/31/2002. OMB 0651-0031

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT Date Submitted:  (use as many sheets as necessary)			Complete If Known		
			Application Number	10/623,114	
			Filing Date	07/18/2003	
			First Named Inventor	Yerramilli V.S.N. Murthy	
			Group Art Unit	1642	
			Examiner Name	Unknown	
Sheet	1	of 1	Attorney Docket Number	051091-2001	

			U.S. PATE	NT DOCUMENTS		<u> </u>
		U.S. Patent Docu	ment			Pages, Columns,
Examiner Initials*	Cite No. <sup>1</sup>	Number	Kind Code <sup>2</sup> (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Unes, Where Relevant Passages or Relevant Figures Appear
	A1	6,239,112		Macy et al.	05/29/2001	
	A2	5,958,888		Macy et al.	09/28/1999	
	A3	5,723,447		Macy et al.	03/03/1998	
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FOREIGN PATENT DOCUMENTS								
Examiner initials*	Cite No.1	Fore Office <sup>3</sup>	elgn Patent D Number <sup>4</sup>	Occument Kind Code <sup>s</sup> (if known)	Name of Patentee or Applicant of Cited Documents	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
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023.24857	5.1	,	
Examiner Signature	1	Date Considered	

EXAMINER: Initial if reference considered, whether or not cliation is in conformance with MPEP 809. Draw line through citation it not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup>See attached Kinds of U.S. Patent Documents. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>9</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>9</sup>Applicant is to place a check mark here if English language Translation is attached.

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